

| UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> | | Attorney Docket No. 22221/1080 (RU-339) |
|---|--|--|
| APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i> | | First Inventor O'Donnell et al. |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i> 2. <input type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i> 3. <input checked="" type="checkbox"/> Specification <i>(preferred arrangement set forth below)</i> [Total Pages 124 pages] - Descriptive title of the invention - Cross Reference to Related Applications <i>(if applicable)</i> - Statement Regarding Fed sponsored R & D <i>(if applicable)</i> - Reference to sequence listing, a table, or a computer program listing appendix <i>(if applicable)</i> - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 82 sheets] 5. Oath or Declaration [Total Pages 12 pages] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Unsigned c. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b) 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | | Express Mail Label No. EL983811777US ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies; or ii. <input checked="" type="checkbox"/> paper (167 pages) c. <input checked="" type="checkbox"/> Request for Transfer of Computer Readable Record and Statement in Accordance with 37 CFR 1.821(c) |
| ACCOMPANYING APPLICATION PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of <i>(when there is an assignee)</i> Attorney 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 12. <input checked="" type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Nonpublication request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other: | | |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) Prior application information: Examiner: R. Hutson Group/Art Unit: 1652 of prior application No.: 09/716,964 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. | | |
| 19. CORRESPONDENCE ADDRESS <input type="checkbox"/> Customer Number or Bar Code Label | | |
| Name Nixon Peabody LLP Clinton Square, P.O. Box 31051 Address Rochester State NY Zip Code 14603-1051 City Telephone (585) 263-1128 Fax (585) 263-1600 Country USA | | |
| Name (Print/Type) Edwin V. Merkel Registration No. (Attorney/Agent) 40,087 Signature <i>[Signature]</i> Date September 25, 2003 | | |

FEE TRANSMITTAL FOR FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750)

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | To be Assigned |
| Filing Date | Herewith |
| First Named Inventor | O'Donnell et al. |
| Examiner Name | R. Hutson |
| Art Unit | 1652 |
| Attorney Docket No. | 22221/1080 (RU 339) |

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit
Account
Number

14-1138

Deposit
Account
Name

Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description | Fee Paid |
|--------------------------|--------------------------|--------------------------|--------------------------|------------------------|----------|
| 1001 | 750 | 2001 | 375 | Utility filing fee | 750 |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$ 750)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|---------------------|----------------|----------|
| Total Claims | 9 -20** = 0 X 0 = 0 | | |
| Independent Claims | 2 -3** = 0 X 0 = 0 | | |
| Multiple Dependent | X 0 = 0 | | |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description |
|--------------------------|--------------------------|--------------------------|--------------------------|--|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet |
| 1053 | 130 | 1053 | 130 | Non-English specification |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month |
| 1401 | 320 | 2401 | 160 | Notice of Appeal |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal |
| 1403 | 280 | 2403 | 140 | Request for oral hearing |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) |
| 1502 | 470 | 2502 | 235 | Design issue fee |
| 1503 | 630 | 2503 | 315 | Plant issue fee |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____.

Date _____

Signature _____

Typed or printed name

SUBMITTED BY

Name (Print/Type) Edwin V. Merkel

Signature _____

Registration No. 40,087
(Attorney/Agent)

Complete (if applicable)

Telephone (585) 263-1128

Date

September 25, 2003

SEND TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

DOCKET NO.: 22221/1080 (RU 339)
APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,
David Jeruzalmi, Irina Bruck, and John Kuriyan
TITLE: NUCLEIC ACID ENCODING AQUIFEX AEOLICUS
DELTA PRIME POLYMERASE SUBUNIT

Certificate is attached to the **Patent Application including specification, claims and abstract (124 pages)** of the above-named application.

EXPRESS MAIL NUMBER: EL983811777US
DATE OF DEPOSIT: September 25, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett
(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)

EXPRESS MAIL CERTIFICATE

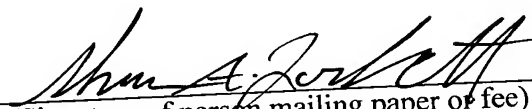
DOCKET NO.: 22221/1080 (RU 339)
APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,
David Jeruzalmi, Irina Bruck, and John Kuriyan
TITLE: NUCLEIC ACID ENCODING AQUIFEX AEOLICUS
DELTA PRIME POLYMERASE SUBUNIT

Certificate is attached to the copy of the Drawings (82 sheets) as filed in the prior application of the above-named application.

EXPRESS MAIL NUMBER: EL983811777US
DATE OF DEPOSIT: September 25, 2003

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(Typed or printed name of person mailing
paper or fee)


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DELTA PRIME POLYMERASE SUBUNIT

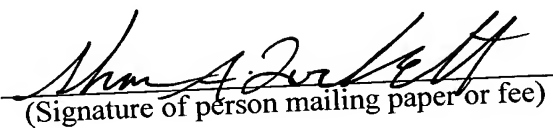
Certificate is attached to the Utility Patent Application Transmittal Letter
(1 page) (in duplicate) and Fee Transmittal (1 page) (in duplicate) of the
above-named application.

EXPRESS MAIL NUMBER: EL983811777US

DATE OF DEPOSIT: September 25, 2003

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Shawn A. Lockett
(Typed or printed name of person mailing
paper or fee)


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DOCKET NO.: 22221/1080 (RU 339)

APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,
David Jeruzalmi, Irina Bruck, and John Kuriyan

TITLE: NUCLEIC ACID ENCODING AQUIFEX AEOLICUS
DELTA PRIME POLYMERASE SUBUNIT

Certificate is attached to the copy of the **SIGNED Combined Declaration and Power of Attorney Form (12 pages)** as filed in the prior application of the above-named application.

EXPRESS MAIL NUMBER: EL983811777US

DATE OF DEPOSIT: September 25, 2003

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Shawn A. Lockett

(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)

EXPRESS MAIL CERTIFICATE

DOCKET NO.: 22221/1080 (RU 339)
APPLICANTS: Michael E. O'Donnell, Alexander Yuzhakov, Olga Yurieva,
David Jeruzalmi, Irina Bruck, and John Kuriyan
TITLE: NUCLEIC ACID ENCODING AQUIFEX AEOLICUS
DELTA PRIME POLYMERASE SUBUNIT

Certificate is attached to the **Request for Transfer of Computer Readable Record and Statement in Accordance With 37 CFR 1.821(e) (1 page)** of the above-named application and a copy of the **Sequence Listing (167 pages)** as filed in the prior application of the above-name application.

EXPRESS MAIL NUMBER: EL983811777US
DATE OF DEPOSIT: September 25, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett
(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)